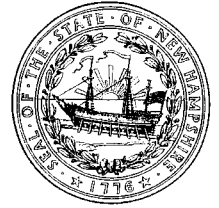




The State of New Hampshire  
**Department of Environmental Services**



Michael P. Nolin  
Commissioner

April 29, 2005

Mr. Kyler Drew  
Vice President  
L.A. Drew, Inc.  
P.O. Box 1030  
Intervale, New Hampshire 03845

**CERTIFIED MAIL (7099 3400 0018 1290 2070)  
RETURN RECEIPT REQUESTED**

**LETTER OF DEFICIENCY  
No. ARD 2005-005**

Dear Mr. Drew:

This Letter of Deficiency ("LOD") is being sent by the Department of Environmental Services, Air Resources Division ("DES") to formally notify L.A. Drew, Inc. ("L.A. Drew") of deficiencies identified by DES during its technical review of L.A. Drew's applications for state permits to operate. On June 13, 2004, L.A. Drew, via its consultant, submitted applications to DES for an aggregate washing plant in Columbia, NH, and for a portable crusher, portable diesel generator #3306-01 and portable diesel generator #3406-02.

On November 29, 2004, DES sent a letter to L.A. Drew in which it requested additional information necessary to complete its review of the applications that L.A. Drew submitted on June 13, 2004. The information that DES requested included device-specific stack information and visible emission test results, as follows:

1. Env-A 1704.01 requires an applicant for a permit for a fuel burning device to complete and submit Form ARD-2, Information Required for Permits for Fuel Burning Devices. Stack information to be submitted includes the inside diameter at the exit of the stack, in feet, or stack exit area, in square feet, the discharge height above ground level, in feet, and the exhaust flow in actual cubic feet per minute; and
2. On October 16, 2000, DES issued State Permit to Operate FP-S-0126 ("the Permit") to L.A. Drew/Columbia Sand & Gravel for the aggregate processing facility in Columbia, NH. The Permit expires on October 31, 2005. Condition VII.A of the Permit requires that L.A. Drew conduct visible emissions testing on its aggregate processing equipment in accordance with the New Source Performance Standard ("NSPS") 40 CFR 60, Subpart OOO. The Permit requires that L.A. Drew conduct the testing within 180 days of the issuance of the Permit and submit the results of the testing to DES within 60 days after completion of testing.

DES requested that L.A. Drew submit a written response within 30 days of the date of the November 29, 2004 letter. On February 21, 2005, L.A. Drew responded to DES, via its consultant, with a copy of information it had received from Southworth-Milton for the portable diesel generator #3306-01. Southworth-Milton states that the maximum engine power output of the device is 239.4 brakehorsepower ("BHP") and the maximum fuel consumption is 12.3 gallons per hour ("gph"). This information differs from the information provided by L.A. Drew in its June 13, 2004 application for a permit for the portable diesel generator #3306-01.

DES requests that L.A. Drew correct the deficiencies noted in this LOD by responding to DES in writing within thirty (30) days of issuance of the LOD with the following information:

- a. Submit an updated and signed ARD-2 form for the application for a state permit to operate for the portable diesel generator #3306-01 containing the correct information for the device; and
- b. Submit the visible emissions testing results required by New Source Performance Standard ("NSPS") 40 CFR 60, Subpart OOO that L.A. Drew is required to conduct by Condition VII.A of the Permit and 40 CFR 60.

Env-A 608.06(a) requires any applicant who fails to submit any required information or who has submitted incorrect information in an application for a state permit to operate to submit, in writing to DES, the additional or corrected information no later than 30 days after being notified by DES. In the event that L.A. Drew fails to submit the information above, its application for a state permit to operate will be denied by DES. If L.A. Drew fails to submit a complete application for a state permit to operate at least 90 days prior to the October 31, 2005 expiration date of the Permit, L.A. Drew will be in violation of the requirement to have a permit upon its expiration. In addition, L.A. Drew is already in violation of Condition VII.A of the Permit and of 40 CFR 60 by failing to submit to DES the results of the visible emissions testing required by the NSPS, 40 CFR 60, Subpart OOO within 180 days of Permit issuance, or by April 14, 2001.

In the event that L.A. Drew fails to resolve the deficiencies above and within the time periods indicated, DES may initiate further action against L.A. Drew, including issuing an order requiring the deficiencies to be corrected, and/or referring this matter to the NH Department of Justice.

Please address all information to Raymond Walters, at the following address:

NHDES Air Resources Division  
Compliance Bureau  
29 Hazen Drive  
P.O. Box 95  
Concord, NH 03302-0095

Please be advised that DES will continue to monitor L.A. Drew's compliance status and that this letter does not provide relief against any other existing or future deficiencies. On February 23, 2004, DES issued a Notice of Past Violation to L.A. Drew for its failure to make timely submittals of annual emissions reports and pay emission-based fees. Those violations have been addressed by L.A. Drew and no further action to correct those violations is required.

Please feel free to contact DES should you have any questions regarding compliance with Env-A 100 *et seq.*, NH Rules Governing the Control of Air Pollution, and the requirements of your current permit. A current copy of the rules can be obtained from the DES website at [www.des.state.nh.us/Rules/air.htm](http://www.des.state.nh.us/Rules/air.htm), or by contacting the DES Public Information Center at (603) 271-2975. If you have any questions regarding this matter, please contact Raymond Walters at (603) 271-6288.

Sincerely,



Pamela G. Monroe  
Compliance Bureau Administrator  
Air Resources Division

Enc: ARD-2 Form

cc: R. Kurowski, EPA Region 1  
P. Fogg, Fogg Environmental  
G. Hamel, DES Legal Unit  
Public Information Officer, DES PIP Office  
N. Cloutier, Chairman of the Board of Selectmen, Columbia